

Interview Summary	Application No.	Applicant(s)	
	09/530,803	CROZIER, HERVE	
	Examiner	Art Unit	
	Rip A. Lee	1713	

All participants (applicant, applicant's representative, PTO personnel):

(1) Rip A. Lee. (3) _____

(2) Susan W. Gorman. (4) _____

Date of Interview: 25 January 2005.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____

Claim(s) discussed: 1 and 10.

Identification of prior art discussed: Shiga et al.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

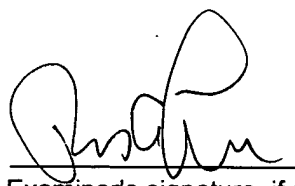
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


DAVID W. WU
 SUPERVISORY PATENT EXAMINER
 TECHNICAL CENTER 1700

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The proposed amendments submitted in the after final response do not place the claims in condition for allowance (see advisory action). The examiner has reviewed Applicant's specification and the prior art. It appears that each describes use of specific nucleating agents (i.e. vinyl cyclohexane) which are copolymerizable with the base resin (propylene). In particular, both inventions describe use of a catalyst that is treated or modified with the nucleating monomer, and both teach a pre-polymerization step in which the vinyl cyclohexane is copolymerized with propylene. In a subsequent step, the remainder of the propylene is polymerized in the presence of the pre-polymerizate, resulting in a nucleated polypropylene. Applicants contend that the pre-polymerizate in their process is prepared in situ, which is in contrast with the method described in Shiga et al. in which it appears that the prepolymerizate has been isolated prior to the polymerization of the remainder of propylene. The examiner shares this viewpoint. If this is the defining difference between inventions, then it is not recited clearly in the claim language.

The composition does not appear to be novel, despite previous and current amendments. However, applicants may consider amending the process claims to distinguish their process over that of the prior art. Furthermore, the examiner suggests that applicants submit an affidavit under 37 CFR 1.132 showing a comparison of their process with that of the closest prior art to establish any unobviousness differences between the two inventions. While the declaration is not required, a comparative analysis of relevant data may serve to expedite/advance prosecution .